

MINUTES
BOARD OF EXAMINERS
OF PRIVATE INVESTIGATORS
AND PRIVATE SECURITY AGENCIES
HEARINGS/MEETING
THURSDAY
JULY 28, 2016
10:00 A.M.
TATNALL BUILDING
150 MARTIN L. KING, JR. BOULEVARD SOUTH
SUITE 112
DOVER, DE

I. Call to Order

Lt. Colonel Hudson called the meeting to order at 1005 hours and subsequently turned the meeting over to Ms. Anderson. The meeting is recorded and the Professional Licensing Section will maintain the records.

Ms. Anderson asked everyone to introduce themselves around the table.

The following members of the Board of Examiners were in attendance:

Lt. Colonel Monroe B. Hudson, Jr.
Director Robert J. Irwin
William G. Bush, IV, Esquire
Mr. Wayne A. Keller
Ms. Kelly R. Jansen
Mr. Harvey A. Woods, III

The following members of the Board of Examiners were absent:

Mrs. Sandra C. Taylor
Mr. Mark W. Rainford

The following staff members were in attendance:

Rae Mims, Esquire – Deputy Attorney General – out @ 1150
Capt. S. Benjamin Parsons – State Bureau of Identification
Lt. Kerry B. Reinbold – Professional Licensing
Sgt. Matthew M. Zolper – Professional Licensing
Ms. Peggy L. Anderson – Professional Licensing
Mrs. Megan C. Bingham – Professional Licensing
Ms. Courtney F. Rutkowski – Professional Licensing

The following staff members were absent:

Mr. Michael Terranova – DTCC Representative

The following individuals were also in attendance:

Mr. Chris Foraker - out @ 1055

Mr. James Chappell

Mr. Jerry Christian

Ms. Kimwyna Edelin

Mr. Damiyr Lawrence

Mr. Robert Kracyla - in @ 1022

Mr. Muhammad Nawaz

Mr. Donald A. Rocco

Mr. Micah Schiller

Ms. Lisa Schiller

Mr. Lockwood Tingle

Ms. Clorinda Tingle

Mr. Paul Williams

II. Review and Acceptance of Meeting Minutes

A. April 15, 2016 – Hearings

B. April 28, 2016 – Meeting

Mr. Woods, with a second by Mr. Keller, made a motion to approve the minutes of the 04/15/16 hearings & 04/28/16 meeting as presented. The motion was carried.

III. Appeal Hearings & Other Actions

Ms. Anderson will be the facilitator of all actions taken today and the Board members will have the opportunity to ask questions of the individuals. There will be discussion and then the voting of the status of the individual/agency in question.

A. Requested Hearings

1. James E. Chappell

Ms. Anderson presented the background on Mr. Chappell as follows:

- 04/20/07 – Processed application for security guard
- 12/22/11 – Processed renewal application for security guard
- 07/05/16 – Quarterly arrest report revealed pending charges
- CHRI charges:
 - 06/03/16 – Criminal Impersonation
 - 06/27/16 – Guilty
 - Report Available

- 07/06/16 – Certified/first class notification of emergency suspension with intent to revoke sent & e-mailed to agency
- 07/07/16 – Mr. Chappell called stating that his agency had given him a copy of the letter and wanted to know how to get his license back. Told to follow directions on the letter. Stated that he moved to DE but did not give his new address
- 07/12/16 – Received hearing request – with different return address
- 07/12/16 – Certified/first class notification of hearing date sent & e-mailed to agency

Ms. Anderson explained that Mr. Chappell was sent notification for the emergency suspension with the intent to revoke his security guard identification card.

After explanation that the Board is bound by law on this matter, Mr. Woods, with a second by Mr. Bush, made a motion to revoke Mr. Chappell's security guard identification card. The motion was carried.

2. Jerry A. Christian

Ms. Anderson presented the background on Mr. Christian as follows:

- 04/26/16 – Processed application for security guard – Denied
- FBI charges:
 - 08/24/09 – Pennsauken Township PD, NJ
 - Theft by Deception
 - Guilty
- 05/04/16 – Certified/first class notification of denial sent & e-mailed to agency
- 05/07/16 – Green card signed for
- 05/12/16 – Received hearing request
- 06/28/16 – Certified/first class notification of hearing date sent & e-mailed to agency
- 07/26/16 – Certified notification of hearing date returned – unclaimed

Mr. Christian provided documentation that shows the charge was reduced, but not in the form of a certified copy from the court.

Mr. Woods, with a second by Mr. Keller, made a motion to lift the denial for Mr. Christian's security guard identification card pending certified documentation from the Court be presented to the Professional Licensing Section that the charge was reduced to disorderly person. The motion was carried.

3. Kimwyna O. Edelin

Ms. Anderson presented the background on Ms. Edelin as follows:

- 03/22/16 – Processed application for security guard – Denied
- FBI charges:
 - 01/08/09 – Abington Township Police Department Abington, PA
 - Retail Theft
 - Conviction/Please Guilty/Fines
- 04/06/16 – Certified/first class notification of denial sent & e-mailed to agency
- 04/14/16 – Green card signed for
- 04/26/16 – First class mail returned – not deliverable as addressed
- 05/05/16 – Received hearing request
- 06/28/16 – Certified/first class notification of hearing date sent & e-mailed to agency

It was recommended that Ms. Edelin seek a pardon/expungement from Pennsylvania. She stated that she has started the expungement process, paid for it and goes to court next month.

After explanation that the Board is bound by law on this matter, Mr. Irwin, with a second by Mr. Woods, made a motion to lift the denial of Ms. Edelin's security guard identification card pending the Pennsylvania record reveals that the charge has been expunged. The motion was carried.

5. Damiyr S. Lawrence

Ms. Anderson presented the background on Mr. Lawrence as follows:

- 04/04/16 – Processed application for security guard – Denied
- FBI charges:
 - 10/21/05 Police Department Chester, PA
 - Aggravated Assault F1
 - Conviction Plead Guilty Regional Correctional Facility Min Sentence 2 yrs Max Sentence 4 yrs Costs
- 04/13/16 – Certified/first class notification of denial sent
- 04/27/16 – Green card signed for
- 05/13/16 – Deadline for hearing request – none received
- 06/02/16 – Mr. Lawrence called and left voice message to call 267-496-4525 and repeated message and number to call 267-496-2545
- 06/02/16 – DSP voice mail not working
- 06/08/16 – Returned calls to both number and they are not his. Used number on application and it is not accepting calls at this time
- 06/14/16 – Received hearing request – completely different phone number on the letter and a different address on the envelope
- 06/28/16 – Certified/first class notification of hearing date sent
- 07/01/16 – Green card signed for

It was recommended for Mr. Lawrence to seek a Pardon. He stated that he has spoken to lawyers and they are working on the pardon process now.

After explanation that the Board is bound by law on this matter, the denial is upheld. No vote necessary.

6. Muhammad Nawaz

Ms. Anderson presented the background on Mr. Nawaz as follows:

- 04/21/16 – Processed application for security guard – Denied
- FBI charges:
 - 07/13/05 – USINS Milwaukee, WI
 - Marriage Fraud 8 USC 1325 (B)
 - No Dispo
- 04/29/16 – Contacted David Yeary, ICE, for more information on charge
- 05/10/16 – David Yeary sent information in regards to this charge
- 05/11/16 – Certified/first class notification of denial sent & e-mailed to agency
- 05/11/16 – Sgt. Zolper contacted Mr. Nawaz as a courtesy call to explain what the denial was in regards to and what he would need to do to have a hearing. Mr. Nawaz assured Sgt. Zolper that he would try to find more paperwork and e-mail it to Courtney Rutkowski
- 05/19/16 – Green card signed for
- 05/23/16 – Received hearing request
- 06/28/16 – Certified/first class notification of hearing date sent & e-mailed to agency
- 07/01/16 – Green card signed for
- 07/27/16 – Sgt. Zolper informed that Marriage Fraud was transferred to Immigration where it was handled Administratively
- 07/27/16 – Mr. Nawaz has a valid work card – expires 05/31/17

Mr. Nawaz handed out paperwork that included documentation showing the charge was handled administratively and not criminally.

Mr. Woods, with a second by Mr. Irwin, made a motion to lift the denial and grant Mr. Nawaz his security guard identification card. The motion was carried.

7. Donald A. Rocco, II

Ms. Anderson presented the background on Mr. Rocco as follows:

- 05/04/94 – Processed application for security guard
- 01/29/08 – Processed re-application for security guard
- 12/13/12 – Processed re-application for security guard
- 05/06/16 – Quarterly arrest report revealed:
 - Aggravated Menacing – 2 counts
 - Possession of a Firearm During the Commission of a Felony

- No Dispos
- 02/12/16 – Attorney General Case Intake
- 04/13/16 – Certified/first class notification of emergency suspension sent & e-mailed to agency
- 04/15/16 – Green card signed
- 05/13/16 – Deadline for hearing request – none received
- 05/16/16 – Received request for hearing
- 06/28/16 – Certified/first class notification of hearing date sent & e-mailed to agency
- 06/29/16 – Green card signed
- 07/21/16 – Tried to call Mr. Rocco at number on file – disconnected
- 07/21/16 – Contacted G4S for another number – Mr. Rocco left G4S in January 2016

After discussion, it was determined that the emergency suspension would be continued until there is a disposition on this case.

Mr. Rocco turned in his security guard identification card.

8. Micah S. Schiller

Ms. Anderson presented the background on Mr. Schiller as follows:

- 05/20/16 – Processed application for private investigator – Denied
- FBI charges:
 - 10/10/08 – Police Department Wylie, TX
 - Unlawful Carrying Weapon
 - 03/29/12 – Deferred 2 yrs 0mths 0days Probation \$500 Court Fine – Supervision Expired Defendant Discharge
 - 12/05/08 – Sheriff's Office McKinney, TX
 - Impersonating Public Servant – Peace Officer
 - 05/12/10 – Deferred Prb-2y Fne-0500 Cst-0303 – Community Supervision Expired Defendant Discharged
- 06/01/16 – Certified/first class notification of denial sent & e-mailed to agency
- 06/23/16 – Received e-mail request for hearing
- 06/28/16 – Certified/first class notification of hearing date sent & e-mailed to agency
- 07/03/16 – Green card for denial signed

Mr. Schiller handed out paperwork showing both charges are being expunged and copies of the final dispositions. They are not felonies and paperwork for non-disclosure. He was working as a private investigator serving warrants and was also a prior Deputy Sheriff for the same County in Texas.

After explanation of the Board being bound by Law, the denial is upheld. It was also explained that the Court from Texas must contact the FBI to have the record expunged.

Mr. Foraker left @ 1055

9. Lockwood N. Tingle

Ms. Anderson presented the background on Mr. Tingle as follows:

- 04/07/16 – Processed application for security guard – denied
- FBI charges:
 - 04/24/75 – Police Department Ocean City, MD
 - Breaking & Entering 2 counts
 - Grand Larceny 2 counts
 - Receiving Stolen Goods
 - No Dispos for any
- 04/20/16 – Certified/first class notification of denial sent & e-mailed to agency
- 04/22/16 – Mr. Tingle called asking about the letter faxed to his agency. It was explained to him what he needed to do. He obtained court documentation that all paperwork was destroyed in 2002. Told him he needed to ask for a hearing for the Board to make a decision.
- 04/25/16 – Green card signed for
- 05/12/16 – Received hearing request
- 06/28/16 – Certified/first class notification of hearing date sent & e-mailed to agency
- 07/06/16 – Green card signed for

Mr. Tingle passed out documentation showing that the court records were destroyed.

Ms. Jansen, with a second by Mr. Keller, made a motion to lift the denial for Mr. Tingle's security guard identification card. The motion was carried.

It was recommended to Mr. Tingle that he get these charges taken off his FBI record.

10. Paul L. Williams, Jr.

Ms. Anderson presented the background on Mr. Williams as follows:

- 04/07/16 – Processed application for security guard – denied
- FBI charges:
 - 11/17/09 – Police Department Chester, PA
 - Simple Assault
 - Aggravated Assault
 - No Dispos
- 04/20/16 – Certified/first class notification of denial sent & e-mailed to agency

- 04/28/16 – Green card signed for
- 05/18/16 – Received hearing request
- 06/28/16 – Certified/first class notification of hearing date sent & e-mailed to agency
- 07/27/16 – Certified notification of hearing date returned – unclaimed

Mr. Williams passed out documentation showing the charges were dismissed.

Ms. Jansen, with a second by Mr. Bush, made a motion to lift the denial of Mr. Williams' security guard identification card pending he provide a certified copy from the Court showing the charges were dismissed. The motion was carried.

B. Notice of Emergency Suspension with Intent to Revoke

Ms. Anderson explained that the following were sent the notice of emergency suspension with the intent to revoke and no one has requested a hearing.

1. Jamaine C. Callahan

Ms. Anderson presented the background on Mr. Callahan as follows:

- 05/15/12 – Processed application for security guard
- 01/08/16 – Quarterly arrest report revealed:
 - 10/19/15 – Manufactures, delivers, or possess w/Intent to manufacture, deliver
 - 12/04/15 – Diversion for Possess Controlled/Counterfeit Substance
 - 04/13/16 – Case Review – Found Guilty
 - Report available
- 01/13/16 – Certified/first class notification of watch status sent
- 01/15/16 – Green card signed for
- 04/25/16 – Certified/first class notification of emergency suspension w/intent to revoke sent
- 05/23/16 – Certification notification returned – Unclaimed
- 05/25/16 – Deadline for hearing request – none received

Mr. Woods, with a second by Mr. Bush, made a motion to revoke Mr. Callahan's security guard identification card. The motion was carried.

2. Cody N. Woolard

Ms. Anderson presented the background on Mr. Woolard as follows:

- 02/17/12 – Processed application for security guard
- 08/03/15 – Quarterly arrest report revealed:
 - 05/27/15 – Theft under \$1500
 - 10/19/15 – Dismissed

- 09/30/15 – Certified/first class notification of watch status
- 10/09/15 – Green card signed for
- 01/06/16 – Quarterly arrest report revealed:
 - 10/15/15 – Theft under \$1500
 - 02/19/16 – Dismissed
 - 10/15/15 – Theft \$1500 or Greater and Victim is 62 years of age
 - 06/01/16 – Nolle Prosequi
 - 10/15/15 – Selling Stolen Property
 - 06/01/16 – Guilty
 - 10/15/15 – Theft \$1500 or Greater
 - 06/01/16 – Guilty
 - 10/15/15 – Burglary 2nd
 - 06/01/16 – Nolle Prosequi
- Report Available
- 01/14/16 – Certified/first class notification of emergency suspension with intent to revoke sent
- 01/20/16 – Green card signed for
- 02/14/16 – Deadline for hearing request – none received

Mr. Woods, with a second by Mr. Keller, made a motion to revoke Mr. Woolard's security guard identification card. The motion was carried.

C. Notice of Intent to Revoke

Ms. Anderson explained that the following was sent the notice of the intent to revoke and has not requested a hearing.

1. Isaiah Z. Volkens

Ms. Anderson presented the background on Mr. Volkens as follows:

- 11/14/13 – Processed application for security guard
- 08/03/15 – Quarterly arrest report revealed:
 - 05/07/15 – Child Abuse 1st Recklessly/Intentionally Causes Serious Physical Injury
 - 06/02/16 – Nolle Prosequi
 - 05/07/15 – Endanger Welfare Child Intent/Knowingly/Recklessly
 - 06/02/16 – Guilty
 - Report available
- 09/28/15 – Certified/first class notification of emergency suspension sent
- 09/30/15 – Green card signed for
- 10/28/15 – Deadline for hearing request – none received
- 06/13/16 – Dispo for 05/07/16 charge revealed guilty – already on ESS
- 06/13/16 – Certified/first class notification of Intent to Revoke sent & e-mailed to agency

- 06/21/16 – Green card signed for
- 07/13/16 – Deadline for hearing request – none received

Mr. Irwin, with a second by Mr. Bush, made a motion to revoke Mr. Volkens' security guard identification card. The motion was carried.

D. Notice of Emergency Suspension – *FYI*

Ms. Anderson explained that the following were sent the notice of the emergency suspension and no one has requested a hearing. Also, all the charges are still pending.

1. Trevor A. Bailey

- 04/13/16 – Certified/first class notification of emergency suspension sent
 - 02/15/16 – Possession of Marijuana
 - 02/15/16 – Carrying a Concealed Deadly Weapon
 - 09/26/16 – Case Review
 - 10/11/16 – Trial

2. Latoya E. Burise

- 04/13/16 – Certified/first class notification of emergency suspension sent
 - 02/15/16 – Possession of Marijuana
 - 02/15/16 – Carrying a Concealed Deadly Weapon
 - 09/26/16 – Case Review
 - 10/11/16 – Trial

3. Kevin C. Butcher

- 01/13/16 – Certified/first class notification of emergency suspension sent
 - 11/22/15:
 - Possess Purchase own or Control a Deadly Weapon a Semi Automatic
 - Possess Consume a Controlled or Counterfeit Substance
 - Possession of Drug Paraphernalia
 - 12/28/15 – Attorney General Case Intake

4. Montrinice A. Chaney

- 12/04/13 – First class notification of emergency suspension sent
 - 08/20/13:
 - Assault Third Degree – 2 counts
 - Endanger Welfare of Child – Child witnessed a specific crime
 - 04/15/14 – Capias/Fail to Appear – Arraignment

5. Nicholas W. Datri

- 03/21/16 – Certified/first class notification of emergency suspension sent
 - 09/08/15:
 - Assault third degree
 - Possession of Drug Paraphernalia
 - Possess Consume a Controlled Substance
 - Theft under \$1500
 - Unlawful Imprisonment Second
 - Possess Purchase own or Control a Deadly Weapon
 - Possession of a Firearm during the Commission of a Felony
 - Aggravated Menacing
 - 09/26/16 – Case Review
 - 10/04/16 – Trial

6. Justine N. Nyakundi

- 04/13/16 – Certified/first class notification of emergency suspension sent
 - 02/19/16 – Falsely Reporting an Alleged Incident to Law Enforcement Officer, Agency which did not occur
 - 08/17/16 – Trial

7. Labeeb E. Perkins

- 06/13/16 – Certified/first class notification of emergency suspension sent
 - 06/07/16:
 - Possession of a Firearm during the Commission of a Felony
 - Aggravated Menacing
 - 06/10/16 – Street Warrant
 - 06/10/16 – Attorney General Case Intake
 - 06/14/16 – Preliminary Hearing

8. Derrick J. Robinson

- 04/13/16 – Certified/first class notification of emergency suspension sent
 - 03/23/16 – Intentionally makes a false oral or written statement
 - 08/15/16 – Case Review
 - 04/22/16 – Possession/Consume Marijuana other than Personal Use
 - 07/27/16 – Case Review

9. Maruice Q. Toles

- 04/13/16 – Certified/first class notification of emergency suspension sent
 - 01/22/16:
 - Sexual Abuse of a Child – 4 counts

- USC with person who is <13 years old – 4 counts
- Continuous Sexual Abuse of a Child
 - 09/19/16 – Case Review
 - 10/04/16 – Trial

This is for informational purposes, no vote necessary.

E. Issues/Concerns

1. Sheena J. Chandler

Ms. Anderson presented the background on Ms. Chandler as follows:

- 07/24/14 – Quarterly arrest report revealed:
 - 04/03/14 – Endangering the Welfare of a Child Intentionally Knowingly Recklessly
 - 05/19/14 – Nolle Prosequi
 - 04/03/14 – Child Abuse 3rd recklessly intentionally cause physical
 - 05/19/14 – Probation Before Judgment
 - Complete Parenting Class
 - Complete Anger Management Class
 - 12 Months
- Report available
- 12/23/14 – Probation & Parole released
- Courts state that she must take paperwork to Court to get the PBJD
- P & P does not send info to Courts

After discussion, it was recommended that Professional Licensing reach out to Ms. Chandler regarding this matter.

2. Jordanuwel E. R. Howard

Ms. Anderson presented the background on Mr. Howard as follows:

- 04/26/16 – Called and reported arrest
 - 04/16/16 – Carrying a Concealed Deadly Weapon
 - 09/12/16 – Case Review
 - 09/27/16 – Trial
- 04/27/16 – Certified/first class notification of emergency suspension sent & e-mail sent to agency
- 04/29/16 – Mr. Howard called and wanted to know what rule he broke to have the emergency suspension placed upon. When Rule 6.4 was read to him from the letter, he stated that I was wrong and that I was trying to hide something. Informed him that Lt. Reinbold directed me to issue the ESS. He stated he was coming down here to speak with the Lt. and I gave him his number and transferred him to Lt.

- 07/11/16 – Review of the July quarterly arrest report showed his charge. Directed to contact Mr. Howard to see if he wanted a hearing. Phone number on file gave a recording “the person you are calling is not accepting any calls at this time – sorry for any inconvenience”. Sent an e-mail to address on file – came back as undeliverable.
- 07/12/16 – Called again with the same recording
- 07/15/16 – Called again and the recording “the subscriber you have dialed is not in service”.

After discussion, Professional Licensing is to monitor this charge until such time there is a disposition in the case.

F. Updates from Last Hearings – *FYI*

1. Tamara F. Lighty

Ms. Anderson informed the Board that Ms. Lighty’s charges were Nolle Prosequi on 05/05/16 and she was sent notification of the reinstatement on 05/09/16.

This is for informational purposes only. No vote necessary.

IV. Licensures

Ms. Anderson stated that all licensures, renewals, approvals and changes in Item III have met all the statutory requirements for Delaware Code Title 24 Chapter 13 and the Rules & Regulations and have provided same to the Professional Licensing Section. All renewals with no changes have been administratively approved for renewal licensure and are presented as FYI only.

A. Class A – Private Investigative Agency – *Renewals - FYI*

1. First State Investigations, LLC
2. Insight Service Group, Inc.
3. Merge Investigations, Inc.
4. Security Services International
5. Unified Investigations & Services, Inc.
6. W.O. Green Corporate Services, LLC

Ms. Anderson presented A.1-6 as informational purposes only for renewals with no changes. No vote necessary.

B. Class A – Private Investigative Agency – *New*

1. Devereaux Security Services
 - a. License Holder – Valarie E. Payne
 - b. Delaware Manger – Valarie E. Payne
2. Frasco, Inc.
 - a. License Holder – Jason J. Simmers
 - b. Delaware Manager – Jason J. Simmers

3. Froilan Miranda Consultant
 - a. License Holder – Froilan A. Miranda
 - b. Delaware Manager – Froilan A. Miranda

Mr. Woods, with a second by Mr. Bush, made a motion to approve B.1-3 as presented for new licensure. The motion was carried.

- C. Class A – Private Investigative Agency – *Changes*
 1. LexisNexis Risk Solutions, Inc.
 - a. License Holder – Frederick P. Morris
 2. TNT Surveillance LLC
 - a. License Holder – Michael Simms

Ms. Jansen pointed out that the License Holder for C.1.a is the same as D.1.a – please see change in D.1.a.

Mr. Irwin, with a second by Mr. Bush, made a motion to approve C.1-2 as presented with the noted changes. The motion was carried.

- D. Class A – Private Investigative Agency – *Resignations/Non-Renewals – FYI*
 1. LexisNexis Risk Solutions, Inc.
 - a. License Holder – ~~Frederick P. Morris~~ Cassie Anderson
 2. TNT Surveillance LLC
 - a. License Holder – Michael Hussnatter

Ms. Anderson presented D.1-2 as informational purposes only for resignations/non-renewals. No vote necessary

- E. Class A – Private Investigative Agency – *Old Business*
 1. Richard M. Blitz P.I.

Ms. Anderson refreshed the Board of the following for Mr. Blitz:

- E-mail renewal notification sent on 03/04/16
- Deadline 04/08/16
- Notified Megan on 03/21/16 that he would submit the application and payment by the end of the month

The required paperwork for renewal was received by Professional Licensing the afternoon of the meeting. Mr. Blitz’s Class A Private Investigative Agency license was renewed as normal.

This is for informational purposes only. No vote necessary.

F. Class B – Private Security Agency – *Renewals - FYI*

1. ABCO Investigation & Protection Agency
2. Downtown Visions
3. Global Protection Management
4. Omega Guard Services

Ms. Anderson presented F.1-4 as informational purposes only for renewals with no changes. No vote necessary.

G. Class B – Private Security Agency – *Renewals w/Changes*

1. U.S. Security Associates, Inc.
 - a. License Holder – Leland John Paul Lutz
 - b. Delaware Manager – Joseph T. Jarvis

Mr. Irwin, with a second by Mr. Bush, made a motion to approve G.1 as presented for renewal with the noted changes. The motion was carried.

H. Class B – Private Security Agency – *New*

1. AlliedUniversal Security Services
 - a. License Holder – Robert C. Wood
 - b. Delaware Manager – Eugene Frawley
2. Eastern Security Corporation
 - a. License Holder – Samuel J. Votta
 - b. Delaware Manager – Samuel J. Votta
3. Tricorps Security
 - a. License Holder – John D. Ross
 - b. Delaware Manager – Ivan N. Devitt

Mr. Irwin, with a second by Ms. Jansen, made a motion to approve H.1-3 as presented for new licensure. The motion was carried.

I. Class B – Private Security Agency – *Changes*

1. Harvard Protection Services, LLC
 - a. License Holder – David Alito
2. OMNISEC International
 - a. License Holder – Kelly A. Gremis

Mr Bush, with a second by Mr. Irwin, made a motion to approve I.1-2 as presented with the noted changes. The motion was carried.

J. Class B – Private Security Agency – *Resignations/Non-Renewals - FYI*

1. AlliedBarton Security Services
 - a. Merged
 - b. License Holder – William C. Whitmore
 - c. Delaware Manager – Samuel Inman

2. Harvard Protection Services, LLC
 - a. License Holder – Keith L. Prewitt
3. OMNISEC International
 - a. License Holder – William A. Turk
4. U.S. Security Associates, Inc.
 - a. License Holder – Charles R. Schneider
 - b. Delaware Manager – Brian Piotrowicz
5. Universal Protection Service LLC
 - a. Merged

Ms. Anderson presented J.1-5 as informational purposes only for resignations/non-renewals. No vote necessary.

- K. Class C – Private Investigative & Private Security Agency – *Renewals - FYI*
1. OPS Security Group
 2. Real-Eyes Professional Investigative and Security Services

Ms. Anderson presented K.1-2 as informational purposes only for renewals with no changes. No vote necessary.

- L. Class C – Private Investigative & Private Security Agency – *Changes*
1. Pinkerton Consulting & Investigations, Inc.
 - a. Delaware Manager – Stephen Ward

Mr Irwin, with a second by Mr. Woods, made a motion to approve L.1 as presented with the noted change. The motion was carried.

- M. Class C – Private Investigative & Private Security Agency – *Resignations/Non-Renewals - FYI*
1. Pinkerton Consulting & Investigations, Inc.
 - a. Delaware Manger – William Cotton

Ms. Anderson presented M.1 as informational purposes only for resignation/non-renewal. No vote necessary.

- N. Address/Phone Number Changes – *FYI*
1. Admiral Security Services
 2. ASSIS LLC
 3. Colonial Security Services, Inc.
 4. Metro One LPSG (Guard Division) PA, Inc.
 5. NMS Security Services, LLC

Ms. Anderson presented N.1-5 as informational purposes only for address/phone number changes. No vote necessary.

V. Rule 10.0 – Uniforms, Patches, Badges, Seals, Vehicular Markings

A. AlliedUniversal Security Services

1. Patches (2)
2. Badge

B. Devereaux Security Services

1. Business Card

C. Frasco, Inc.

1. Letterhead
2. Website

Mr. Irwin, with a second by Mr. Keller, made a motion to approve V.A-C, inclusive, as presented for approval. The motion was carried.

VI. Instructors

A. Approved – *FYI*

1. Ron Flowers – Handgun/Shotgun/Baton/Nightstick/PR24
2. John W. Fox, Jr. – Handgun/Shotgun
3. John D. Gooley – Handcuffs
4. Derrick Lynch – Handgun/Baton/Nightstick/PR24/Chemical Spray/Handcuffs
5. John L. R. Pusey – Handgun/Shotgun
6. Donnell Reed – Handgun/Shotgun
7. Elijah C. Richardson, Jr. – Baton/Nightstick/PR24/Chemical Spray/Handcuffs

Ms. Anderson presented A.1-7 as approved instructors, in their respective fields, as informational purposes only. No vote necessary.

B. Resignations/Terminations – *FYI*

1. Luis A. Torres – Handcuffs

Ms. Anderson presented B.1 as being removed from the approved instructor list for failure to provide updated certification documentation. This is for informational purposes only. No vote necessary.

C. Issues/Concerns

1. Robert D. Eller, Jr.

Ms. Anderson passed out information regarding Mr. Eller asking to be an approved firearms instructor. Mr. Eller was denied by the Board of Examiners of Constables. To stay consistent with how the rules & regulations are written now, he is being presented to this Board also.

Mr. Irwin, with a second by Mr. Woods, made a motion to deny the approval for Mr. Eller as a firearms instructor.

2. Mark D. Micioto

Ms. Anderson passed out information regarding Mr. Micioto asking to be an approved firearms instructor. Mr. Woods stated that Maryland State Police does not require formal training for this certification to be issued to someone.

Mr. Irwin, with a second by Mr. Bush, made a motion to deny the approval for Mr. Micioto as a firearms instructor.

VII. Old Business

A. Professional Licensing

1. Rules & Regulations

a. Rule 1.0 – Firearms Policy (Exhibit A)

Lt. Reinbold explained what was discussed during the Firearms Sub-Committee meetings. This rule is the result of those recommendations.

This same rule, with changes only from one law/entity to another, has been previously approved by the BEA Board on 05/26/16 and the Constable Board on 07/26/16. All three Firearms Policy rules will be published at the same time so that the effective date will be the same for all industries covered.

Ms. Anderson explained that Exhibit A is not the complete set of changes for this rule. The changes were read by Lt. Reinbold and Ms. Anderson.

Mr. Bush, with a second by Mr. Irwin, made a motion to amend Rule 1.0 with the changes read by Lt. Reinbold and Ms. Anderson. The motion was carried.

Mr. Irwin, with a second by Mr. Bush, made a motion to approve Rule 1.0 – Firearms Policy for first publication. The motion was carried.

b. 40 Hour Course

Ms. Anderson presented the Curriculum and Guidelines for the 40 hour course that the sub-committee amended and presented to all Boards for approval.

Ms. Jansen and Mr. Woods recommended that “certification” be added to paragraph six on the 40 Hour Course Guidelines to read “...course certification...”. Also, Mr. Woods asked that “Shooting from the seated position” be removed from Day 3 – 5 (range) curriculum.

Mr. Irwin, with a second by Mr. Woods, made a motion to approve the 40 Hour Course Curriculum & Guidelines with the noted changes. The motion was carried.

DAG Rae Mims out @ 1150

c. Rule 4.0 – Training Requirements

Ms. Anderson presented Rule 4.0 – Training Requirements, with no public comments, for final publication.

Mr. Bush, with a second by Lt. Col. Hudson, made a motion to approve Rule 4.0 Training Requirements as presented for final publication. Ms. Jansen pointed out that in 4.2 the word “no” should be “not” and since this is a typo there will not be a need to re-publish. The motion was carried.

2. Law Amendment Updates

a. HB 213

Ms. Anderson informed the Board that HB 213, the recommended law amendments, did not pass in the Senate. The House had passed the Bill, and was assigned to the Senate Public Safety Committee, where the Bill was never heard. The necessary rules were suspended by the Senate (eliminating have to go through Committee) and Senator Marshall asked for the Bill to be Laid on the Table to inquire more about the Bill. After he spoke with Senator Lawson & Ms. Anderson about how this would greatly help individuals obtain/keep jobs and that felony convictions would not be withdrawn from a prohibitor, the Bill never came off the Table. This was the last night of the Session and current General Assembly.

i. Nichele L. Everett

Ms. Anderson explained the issue with Ms. Everett as follows:

- 09/30/88 – Theft under \$500
 - 12/20/88 – Guilty
- 04/25/16 – Found charge under a separate T number and was never rolled over
- 04/27/16 – Placed on watch status – no notification sent
- 07/01/16 – Held until now to see if HB 213 would pass this time
- 07/15/16 – Certified/first class notification of intent to revoke sent & e-mail to agency
- 07/20/16 – Ms. Everette called and wanted to know how/why this was. Explained the situation to her and why we waited until after 07/01/16. Told her to start Pardon process right away and to keep PLA informed of that progress and I would try to help her out in any way possible. She seemed okay and thanked PLA for explaining and giving her as much time as possible to get Pardon.
- Will keep on top of the process

Ms. Anderson explained that this situation is a perfect example why HB 213 needed to be passed. Professional Licensing held off on notifications to see if the law would be amended. Ms. Everette will likely be at the hearings during the October 2016 meeting.

This is for informational purposes only. No vote necessary.

b. Complete Overhaul

Lt. Reinbold informed the Board that the complete overhaul of the current law never made it out of the Governor's Office. There was an issue with the make-up of the Board membership and the Chair of the Board position. We will try again in the next General Assembly in January 2017.

B. Board Members

The Board members did not have any old business at this time.

C. Lieutenant Colonel

Lt. Col. Hudson did not have any old business at this time.

VIII. New Business

A. Professional Licensing

1. Rules & Regulations

a. Rule 2.0 – Use of Rifle and Shotgun (Exhibit B)

Ms. Anderson explained that Rule 2.0 – Use of Rifle and Shotgun needs to be reviewed now since Rule 1.0 was reviewed. There are currently only two security guards with shotgun certification: James R. Gettier & Anthony Scalia.

Deputy Director Rob Krcyla spoke on this matter and stated that this rule is really not at this point.

Delaware Code Title 20 relieves all Rules during a State of Emergency as per the Governor.

It was recommended by the Board that Rule 2.0 be taken to the Firearms Sub-Committee for review.

2. DTCC Policy on Academic Integrity (Exhibit C)

Ms. Anderson presented Exhibit C regarding the Academic Integrity for DTCC. This was provided by Mr. Terranova and is used on the academic side of the college. Since there was an issue with a security guard caught trying to cheat on the test, this was brought to light. This will be reviewed by the DTCC Attorney's and then presented to the Board for further review.

This is for informational purposes only. No vote necessary.

B. Board Members

The Board members did not have any new business at this time.

C. Lieutenant Colonel

Lt. Col. Hudson did not have any new business at this time.

IX. Public Comment (At the discretion of the Board Chair)

The public in attendance did not wish to speak at this time.

X. Adjournment

A. Next Hearing/Meeting

1. Wednesday, October 19, 2016 @ 10:00am

Mr. Woods, with a second by Mr. Irwin, made a motion to adjourn the meeting at 1226 hours. The motion was carried.